

MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, 7 VILLAGE LANE, QUOGUE, NEW YORK, HELD ON FRIDAY, FEBRUARY 21, 2014 AT 4:00 P.M.

PRESENT: Mayor Peter S. Sartorius, Trustees Randy Cardo, Jeanette Obser, Ted Necarsulmer and Kimberley Payne, Village Attorney Richard E. DePetris and Village Clerk Marcia Rose Koziarz.

OTHERS PRESENT: Police Lieutenant Christopher Isola, Fire Chiefs Bruce Davidson and Christopher Osborne, Nancy Mullan, Carole Bennett, Joy Flynn, Anthony and Maureen Leness, Frances Ryan, Jane Campbell, Mark A. Krauss, Jim and Sissy Sperber, Cecelia Lazarescu, Susan Clarke, Dick Gardner, Mary J Post, Marietta Seaman, Lucy Joyce Brennen, Bill Berrien, Bill and Deni McChesney, W. T. Buhl, Barbara Sartorius, Theresa Fontana, Louis Clarke and Kyle Campbell of the Southampton Press.

The Mayor invited everyone to join him in the Pledge of Allegiance.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, the Minutes of Regular Meeting held on January 17, 2014 are hereby approved.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, the Abstract of Audited Vouchers Schedule 02-14, in the amount of \$166,908.93 and Treasurer's Report for the Month ending January 31, 2014 are hereby approved as follows:

\$ 51,448.86 Checking Account  
\$5,731,056.75 Investments  
\$ 625,446.61 Capital Reserve  
\$6,407,952.22 Total General Fund 01/31/14

The Clerk gave the report for January 2014 False Fire and Burglar Alarms as follows:

Burglar Billed: \$0; Burglar Collected: \$500.00  
Fire Billed: \$1,000.00; Fire Collected: \$0

Fire Department Chief Bruce Davidson gave the January 2014 report for the Fire Department. There was no January 2014 Building Department report as Bill Nowak was away on vacation. Police Lieutenant Christopher Isola gave the January 2014 report for the Police Department.

Upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the resignation of Ogden Lewis as Chair of the Zoning Board of Appeals is hereby accepted with regret and the appointment of Charles Mott as Chair of the Zoning Board of Appeals for the balance of the 2013-2014 official year is hereby approved.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Mayor is hereby approved to execute 2014 Cooperative Agreement for Shared Computer Capability with the Town of Southampton for a period of one year.

Upon Motion made by Jeanette Obser, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the Mayor is hereby approved to execute 2014 Fire Inspection Services Agreement with the Town of Southampton to provide fire investigation and hazardous materials response services from date of execution to December 31, 2014.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the forms of for the 2014 Village Beach Permit Application, 2014 Locker Rental Application and the 2014 Seasonal Rental License Application are hereby approved including the following related fees:

- Vehicle (Resident) - \$90.00
- Vehicle (Renter) - \$240.00
- Walk- In - \$12.00
- Locker Rental Fee - \$300.00
- Seasonal Rental Fee - \$250.00 (more than 31 days)
- Seasonal Rental Fee - \$125.00 (31 days or less)
- Late Fee - \$50.00 if application is received after the commencement date of the lease.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the transfer of \$44,801.00 received from the Office of the Suffolk County Legislature for 2013 from the General Fund to A3120.15 (Police-Overtime), which amount represents the Sales Tax Revenue share from the County of Suffolk which is restricted for public safety use only, is hereby approved.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the minutes of bid, held on Tuesday, February 11, 2014 at 3:00 P.M. for the sale of used Police vehicles (see attached) are hereby approved.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the sale of the remaining police vehicles from the bid held on February 11, 2014 from the Police Department's fleet is hereby approved as follows:

2005 Ford Crown Victoria 4DSD (last four of vin #6505) min. Bid \$2,500.00

2007 Ford Crown Victoria 4DSD (last four of vin #8670) min. Bid \$2,500.00.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the Mayor is hereby approved to sign the renewal of the Building & Codes Software Support Contract with Williamson Law Book Co. from 03-01-2014 to 02-28-2015 in the amount of \$745.00.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a transfer in the amount of \$1,000.00 from A3620.490 (Safety Inspection/Misc.) to A3620.411 (Safety Inspection/Supplies & Materials) to cover the overage for the payment of a sound examiner from Bomark Instruments Inc., PO #013984, is hereby approved.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, a budget transfer in the amount of \$1,000.00 from A1110.220 (Justice Court-Equipment) to A1110.140 (Justice Court-Assistant Court Clerk) and a transfer in the amount of \$650.00 from A1110.445 (Justice Court-Training) to A1110.140 (Justice Court-Assistant Court Clerk) to cover the additional employment hours due to new state record keeping requirements, is hereby approved.

Upon motion made by Mayor Sartorius, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the April Board of Trustees meeting is changed from April 18<sup>th</sup> to April 25<sup>th</sup>.

After discussion, the application for a Dock & Bulkhead Permit, to install a walkway and T dock at 116 Montauk Highway, Tax Map #6-2-24.10 was held over until March 21, 2014.

The Mayor opened the Public Hearing on proposed “Local Law No. \_\_\_\_ of 2014 Authorizing A Property Tax Levy In Excess Of The Limit Established In General Municipal Law §3-c” as introduced at the January 17, 2014 Trustee meeting. With no comments and upon motion made by Mayor Sartorius, seconded by Kimberley Payne and unanimously carried, the public hearing was closed at 4:15 PM. Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that “Local Law No. \_\_\_\_ of 2014, A Local Law Authorizing A Property Tax Levy In Excess Of The Limit Established In General Municipal Law §3-c,” is hereby enacted as Local Law #1 of 2014. The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Mayor Sartorius: Voting Aye

Trustee Cardo: Voting Aye

Trustee Obser: Voting Aye

Trustee Necarsulmer: Voting Aye

Trustee Payne: Voting Aye

#### Local Law No. 1 of 2014

#### A Local Law Authorizing A Property Tax Levy In Excess Of The Limit Established In General Municipal Law §3-c

##### Section 1. Legislative Intent.

It is the intent of this local law to allow the Village of Quogue to adopt a budget for the fiscal year commencing June 1, 2014 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

##### Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

##### Section 3. Tax Levy Limit Override.

The Board of Trustees of the Village of Quogue is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2014 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect , impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

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The Mayor opened the discussion of sale of property located at 155 Dune Road. Mary Post, Joy Flynn and Anthony Leness each spoke in opposition of the sale. Following the discussion, the Mayor stated that the sale of the property would not go forward.

With no other business to discuss and upon motion made by Randy Cardo, seconded by Jeanette Obser and unanimously carried, the meeting was adjourned at 4:25 P.M.

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Marcia Rose Koziarz, Village Clerk

Minutes of bid opening in accordance with notice published in the Southampton Press, Western Edition issue dated January 30<sup>th</sup> and February 6, 2014, was opened and publicly read at 3:00 P.M. on February 11, 2014.

Present for the bid opening were: Village Clerk Marcia Rose Koziarz, Deputy Treasurer Aimee Buhl, Deputy Clerk Denise Michalowski, Assistant to the Mayor Stephanie Wagner and Paul Tokarski.

One bid was received for #2. 2005 Ford Crown Victoria 4DSD, (last four VIN# 6516):

Paul R Tokarski, P O Box 1456, East Quogue, NY 11942 - \$3,001.00

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Marcia Rose Koziarz, Village Clerk